

CHAPTER 399

H.B. No. 1328

AN ACT

relating to certain fees charged for water district supervision by the Texas Water Commission.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsections (e) and (f), Section 5.235, Water Code, are amended to read as follows:

(e) *A person who files with the commission a petition for the creation of a water district or addition of sewage and drainage powers or a resolution for a water district conversion must pay a one-time nonrefundable application fee. The commission by rule may set the application fee in an amount not to exceed \$700, plus the cost of required notice. This fee is the only fee that the commission may charge with regard to the processing of an application for creation of a water district, addition of sewage or drainage powers, or conversion under this code.*

(f) *A person who files a bond issue application with the commission must pay an application fee set by the commission. The commission by rule may set the application fee in an amount not to exceed \$500, plus the cost of required notice. If the bonds are approved by the commission, the seller shall pay to the commission a percentage of the bond proceeds not later than the seventh business day after receipt of the bond proceeds. The commission by rule may set the percentage of the proceeds in an amount not to exceed 0.25 percent of the principal amount of the bonds actually issued. Revenue from these fees shall be deposited in the state treasury and credited to the water quality fund. Proceeds of the fees shall be used to supplement any other funds available for paying expenses of the commission in supervising the various bond and construction activities of the districts filing the applications [The fee for filing a water district creation petition or conversion resolution is \$100 plus the cost of required notice.*

~~[(f) The fee for filing a bond issue application is \$100 plus the cost of required notice].~~

SECTION 2. Sections 51.029, 54.017, 58.029, 65.017, and 66.017, Water Code, are repealed.

SECTION 3. Section 54.030(c), Water Code, is amended to read as follows:

(c) A copy of the resolution shall be filed with the commission ~~[along with a deposit for costs of \$600 which shall be used by the commission as provided in Section 54.017 of this code].~~

SECTION 4. Section 54.037(c), Water Code, is amended to read as follows:

(c) The *application [deposit and filing] fee* for such a special petition ~~is [are]~~ the same as for any ordinary district. After the petition is filed, the standards and procedures for commission review and action are the same as for any ordinary district, except that:

(1) the commission must consider the scope of the regional plan in connection with its findings; and

(2) the requirements for the special petition, above, shall apply in lieu of the requirements for ordinary districts set out in Section 54.014, 54.015, 54.016, or other sections of this code.

SECTION 5. This Act takes effect September 1, 1987.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 12, 1987, by the following vote: revenue dedication: Yeas 123, Nays 18, 1 present, not voting; remainder of bill: non-record vote. Passed by the Senate on May 22, 1987, by a viva-voce vote.

Approved June 17, 1987.

Effective Sept. 1, 1987.